DOUBLE PATENTING

Claims 1-25 were presented for examination. Claims 1-25 were provisionally rejected under the judicially created doctrine of double patenting over claims 1-25 of co-pending Application No. 10/636,947. In response, Applicant's assignee, who is also the assignee of the cited prior art, intends to amend U.S. 10/636,947 to show the same inventorship as this application and to abandon such application. Under such circumstances, there would be no double patenting rejection, and Claims 1-25 should be in form for allowance on that basis.

REMARKS

Claims 1-25 were presented for examination.

The drawings were objected to because of sectional lines and other objections. The drawings are amended, as shown in the enclosed drawings, and applicants request such drawings to be entered as an amendment, as discussed Supra. Therefore, the drawings should now be in allowable form.

Claims 1 and 11 were objected to. Claims 1 and 11 have been amended as requested by the Office and should now be in allowable form. There are no scope changes for these amendments but only to properly identify antecedent buses.

Claims 1 and 14 were rejected and a request is made to change "a mechanism" from "said mechanism" for both Claims 1 and 14. Applicant could not find any recitation in Claim 1 concerning "said mechanism". However, applicant did find, in Claim 12, that recitation. Accordingly, applicant presumes the Office meant Claim 12 and not Claim 1 for the amendment. If this is not the case, clarification is requested. There are no scope changes for these amendments but only to properly identify antecedent buses.

In Claim 9, the Office requested that the words "nozzle inserts" be replaced with the words

"exit nozzles". Applicants believe they have done what is requested by the Office. There are no scope changes for these amendments but only to properly identify antecedent buses.

The Office is also requesting that Claim 14 be amended to change "said threaded box" to "a threaded box". Applicants believe they have done this. There are no scope changes for these amendments but only to properly identify antecedent buses.

Therefore, the Claims should no longer be in an objected form.

Claims 1-7 and 16-25 were rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent No. 6,581,689 to Hailey, Jr. In response, Hailey does in fact disclose manifold 108 secured to the outer surface. However, Claim 1 deals with exit nozzle chambers that are secured to the base pipe. This is a significant difference. Further, Hailey doesn't use exit nozzle chambers. Mechanism 108 is a manifold used to divert slurry to the different shunt tubes 98 then applicants' nozzle chambers which are directly connected to the shunt tubes. Hailey does not have the shunt tubes directly connected to exit nozzle chambers, but instead, has a manifold at each coupling or connection between joints, which then feeds the shunt tubes. Thus, Hailey has exit ports 106 on each of the shunt tubes 98, whereas applicant's invention does not have exit ports on the shunt tubes but instead has exit nozzle chambers with exit nozzles connected to the shunt tubes. The applicants are somewhat confused by the Office's suggestions that there is a shunt tube 98. Mechanism 98 is merely an opening where there are no perforations in the base pipe. Therefore, shunt tube 104 goes into opening 98. Therefore, manifold 102 of Hailey has all shunt tubes 104 coming into manifold 102 and the slurry out of manifold 102 goes out of ports 106. Applicants' shunt tubes tie directly to the nozzle chambers and the nozzle exit ports and has no manifolding of the tubes together as in Hailey because Hailey needs the manifolding in order to reach the exit ports that applicants'

invention does not require. Further, outer member 126 having side openings 132 are essentially the same structure as Bryant discussed infra.

With regard to Claim 16 and 22, Hailey does not provide an arrangement of conduits positioned between the base pipe and the screen in the tube and connected to the exit nozzle chambers. Thus, he fails to establish step A of Claim 16 and 22. Hailey merely has the manifold but does not have the nozzle chambers.

With regards to 17-21, Hailey only has perforations. With regard to Figures 7, 8, and 9, of Hailey, he shows perforated conduits whereas Claim 17 of the applicants' invention deals with unperforated conduits as do claims 18 through 22. Further, the dependent claims depend on independent claims which should be in allowable form and therefore all Claims should now be in allowable form.

Claims 1, 2, 8-11, 14 and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,868,200 to Bryant *et al.* In response, Bryant does not show any nozzle chambers as such within 30. Instead, in the specification Bryant recites that if the sleeve 30 is over 10 feet then a leakage path or outlet 33 may be established in sleeve 30. However, an outlet is not a nozzle chamber or even a nozzle. An outlet 33 is just a hole within sleeve 30 for leak-off. An exit nozzle is a preset diameter nozzle attached to the chamber in order to convey slurry into the annulus. The purpose of Bryant's leak-off 33 is directly coupled to the fact that he is dealing with two joints and a sleeve of over 10 feet. Because it is over 10 feet there is the potential without the leak-off that gravel packing would not reach a portion of the annulus. Therefore, he has the leak-off. This is totally different than the function of the exit nozzle chambers claimed. Further, Bryant, while having an annulus has an annulus in a different position then applicant's recited annulus. Therefore, while

Bryant might have a shunt tube positioned inside an annulus, that annulus is between the shroud 17 and the wire wrap 13 whereas applicant's annulus (referring to Figure 1 of the above-referenced application) are between the base pipe 17 and the wire wrap 5. See Claims 1 and 11 for the definition of "annulus" in applicant's invention. Bryant does have a second annulus between the shroud 17 and wire wrap 13 but, in Bryant the shunt tubes do not or attach to the wire wrap 13 of Bryant. Further, Bryant's outlets 33 (for leak-off) do not have chambers that are connected to the shunt tube 14 but actually are connected to a very large spacing between the upper joint and the lower joint, 11A and 11B, respectively. According to the Office's suggestions, this would make the giant opening 31 between the 2 joints, 11A and 11B, characteristics that it does not have which would be a common manifold area. This opening 31 is in reality an opening formed by the sleeve 30 and connection to the two base pipes, 12A and 12B, as indicated earlier. All that is shown in Bryant is leak-off.

It should also be noted in Claim 11 that the recitation is "at least one". This permission that there could be more than one of the claimed inventions of nozzle chambers for one joint, is impossible for Bryant. The best and only situation he can have is an exit chamber, meaning a bleed off, between two joints and none can be located along a joint. This is emphasized by Claim 8, which shows screens and the nozzles in various patterns including outer surface/nozzles/outer surface/nozzles along the same joint. Bryant cannot do this as exemplified by Figure 2, which shows that only place he has leakage is between two joints as indicated above.

Claim 9 illustrates an inherent difference between Bryant which shows leak-off only and applicant's invention, which has nozzles directly connected to shunt tubes via the nozzle chambers.

The Office's remarks with regard to Claim 12, are not understood. While Bryant does disclose, as indicated above, a leak-off, there is nothing in Bryant the permits that leak-off to return to the flow stream in the shunt tubes. Further with regard to Claim 12, the mechanisms 15 are the exit ports for pumping the slurry out of the shunt tubes in Bryant. There is nothing in Bryant that refers to mechanism 15 being a fluid means for return.

With regard to Claim 14 in the Office's remarks concerning Bryant, it has the same problem as indicated above with regard to Claim 12 when it comes to mechanism 15. It is pointed out there, that there is no mechanism 15 for allowing fluid back in. There is no ability for mechanism 15 to provide fluid communication to the inner bore in Bryant. Indeed the tubes don't permit anything flowing through them to go back to the inner bore. Therefore, Claims 1, 2, 8-11, 14 and 15 should be in allowable form.

Claims 1-25 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 2005/0028977 to Ward. In response, as indicated above, the art cited by the Office will be cancelled. Any invention disclosed in the reference was derived from the inventor of this application and is not thus, an invention "by another". Therefore, Claims 1-25 should be in allowable form.

Claim 13 was objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to overcome the objections and to include all of the limitations of the base claim and any intervening claims. In response, Claim 13 has not yet been put into independent form because it is believed that Claims 11 and 12 upon which Claim 13 depends are in allowable form.

In commenting on the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between same and the

present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims. Not all of the distinctions between the prior art and applicant's present invention have been made by applicant. For the foregoing reasons, applicant reserves the right to submit additional evidence showing the distinction between applicant's invention to be unobvious in view of the prior art.

The foregoing remarks are intended to assist the Office in examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered to be exhaustive of the facets of the invention which are rendered patentable, being only examples of certain advantageous features and differences which applicant's attorney chooses to mention at this time.

The Commissioner is to charge any deficiencies or overpayment to Deposit Account No. 50-2413 of Adams and Reese, LLP.

Please send all future correspondence regarding the above-referenced application to the undersigned at the address appearing below.

Reconsideration of the application as amended and allowance thereof are requested.

Respectfully submitted,

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Fig. 2A is a partly section view of a single joint of the well screen, having a slotted plate on the threaded box end of leak off, of the present invention as set up to run in a wellbore;

Fig. 3 is a partly section view of a joint of the well screen of the present invention with several cross-sections taken along different lines of the well screen as indicated by the letters;

Fig. 3A is a cross-sectional view of Fig. 3 taken along section lines 1-1 of Fig. 3;

Fig. 3A is a cross-sectional view of Fig. 3 taken along section lines 2-2 of Fig. 3;

Fig. 3A is a cross-sectional view of Fig. 3 taken along section lines 3-3 of Fig. 3;

Fig. 3A is a cross-sectional view of Fig. 3 taken along section lines 4-4 of Fig. 3;

Fig. 3A is a cross-sectional view of Fig. 3 taken along section lines 5-5 of Fig. 3;

Fig. 3.1 is a partly section view of a joint of the well screen, having a slotted plate on the threaded box end for leak off, of the present invention with several cross-sections taken along different lines of the well screen as indicated by the letters;

Fig. 3.1A is a cross-sectional view of Fig. 3 taken along section lines 1-1 of Fig. 3;

Fig. 3.1B is a cross-sectional view of Fig. 3 taken along section lines 2-2 of Fig. 3;

Fig. 3.1C is a cross-sectional view of Fig. 3 taken along section lines 3-3 of Fig. 3;

Fig. 3.1D is a cross-sectional view of Fig. 3 taken along section lines 4-4 of Fig. 3;

Fig. 3.1E is a cross-sectional view of Fig. 3 taken along section lines 5-5 of Fig. 3;